

REMARKS

Claims 7-10 remain herein. Claims 7 and 9 are amended.

Applicants believe that this Amendment places this application fully in condition for allowance, and certainly in better condition for any appeal. Accordingly, entry of this Amendment and allowance of all claims 7-10 are respectfully requested.

1. The February 13, 2007 Amendment was objected to as allegedly introducing new matter into the disclosure because “weight” % was supposedly disclosed for the first time in that Amendment. However, filed herewith is a Declaration Under 37 CFR 1.132 by the inventor, Mr. Yamamoto, declaring that the original application intended to recite a “weight” %. Furthermore, it would have been obvious to one of ordinary skill in the art that references to % meant “weight %.” Withdrawal of this objection is respectfully requested.

2. Claims 7-10 were rejected under 35 U.S.C. § 112, second paragraph. Claims 7 and 9 are amended herein, mooting this rejection. Withdrawal of this rejection is respectfully requested.

3. Claims 7-10 were rejected under 35 U.S.C. § 112, first paragraph. Claims 7 and 9 are amended, mooting this rejection. Withdrawal of this rejection is respectfully requested.

4. Claims 7 and 9 were rejected under 35 U.S.C. § 103(a) over Ogami U.S. Patent 5,077,168 in view of Chambon U.S. Patent 5,204,453. However, no combination of the teachings of these references would render claims 7 and 9 unpatentable.

First, neither Ogami nor Chambon discloses or suggests a toner including a monoazo-metal compound of the claimed formula that is resistant to sublimation as claimed herein. Ogami fails to disclose the monoazo-metal compound of the claimed formula and certainly provides no suggestion of the claimed sublimation-resistant monoazo-metal compound. Chambon discloses a dye compound, but provides no suggestion of resistance to sublimation. Although the Office Action alleges that Chambon discloses the claimed monoazo-metal compound, the compounds disclosed in Chambon are dyes “for dyeing in particular wool or synthetic textile polyamide fibre materials as well as leather, and for use as wood mordant dyes.” Chambon, Abstract. There is no suggestion in Chambon to use the disclosed dye as a component of a toner.

For the foregoing reasons, neither Ogami nor Chambon discloses all elements of applicants' claimed invention, and neither of these references discloses anything that would have suggested applicant's claimed invention to one of ordinary skill in the art. Further, there is no disclosure or teaching in either Ogami or Chambon that would have suggested the desirability of combining any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. For all the foregoing reasons, applicants respectfully request reconsideration and withdrawal of this rejection and allowance of claims 7 and 9.

5. Claims 7-10 were rejected under 35 U.S.C. § 103(a) over Tanikawa U.S. Patent 5,500,318 in view of Chambon. As with Ogami, the Office Action admits that Tanikawa does not disclose or suggest applicants' claimed monoazo-metal compound. Tanikawa fails also to disclose that the claimed monoazo-metal compound is resistant to sublimation. Chambon also fails to disclose or suggest this element. And, as explained above, Chambon is in an entirely different field from the present invention, and no suggestion of the desirability of combining Chambon with Tanikawa is provided by anything in this record. Indeed, Chambon is entirely oblivious to the problems addressed by applicants' claimed invention.

For the foregoing reasons, neither Tanikawa nor Chambon discloses all elements of applicant's claimed invention, and neither of these references discloses anything that would have suggested applicants' claimed invention to one of ordinary skill in the art. Further, there is no disclosure or teaching in either Tanikawa or Chambon that would have suggested the desirability of combining any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. For all the foregoing reasons, applicants respectfully request reconsideration and withdrawal of this rejection and allowance of all claims 7-10.

6. Claims 7-10 were rejected under 35 U.S.C. § 103(a) over Tanikawa and Beffa U.S. Patent 4,427,585. As explained above, Tanikawa does not disclose or suggest the claimed monoazo-metal compound or such a compound having resistance to sublimation. Beffa discloses a dye compound, but provides no suggestion of resistance to sublimation. Although the Office Action alleges that Beffa discloses the claimed monoazo-metal compound, the compounds disclosed in

Chambon are dyes "suitable for dyeing and printing natural or synthetic polyamide material." Beffa, Abstract. The Beffa dye is used for "padding liquors and printing pastes," and can be used to dye wool. Beffa, col. 2, lines 40-42; col. 6, lines 3-6, 48-51. There is no suggestion in Beffa to use the disclosed dye as a component of a toner.

For the foregoing reasons, neither Tanikawa nor Beffa discloses all elements of applicants' claimed invention, and neither of these references discloses anything that would have suggested applicants' claimed invention to one of ordinary skill in the art. Further, there is no disclosure or teaching in either Tanikawa or Beffa that would have suggested the desirability of combining any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. For all the foregoing reasons, applicants respectfully request reconsideration and withdrawal of this rejection and allowance of claims 7-10.

For the foregoing reasons, all claims 7-10 are now fully in condition for allowance, which is respectfully requested. The PTO is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293. Should the Examiner feel that further amendments would place this application in even better condition for issue, the Examiner is invited to call applicants' undersigned attorney at the number listed below.

Serial No.: 10/507,299

Respectfully submitted,

STEPTOE & JOHNSON LLP

Date: August 8, 2007

A handwritten signature in black ink, appearing to read 'R. Parkhurst', written over a horizontal line.

Roger W. Parkhurst

Registration No. 25,177

C. Donald Stevens

Registration No. 53,638

STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036-1795
Tel: (202) 429-3000
Fax: (202) 429-3902

Attorney Docket No. 29015.0032

RWP/CDS:cd